

# SEC. \_\_\_\_ . NAVY AND COAST GUARD SHIPYARD INFRASTRUCTURE IMPROVEMENT.

## (a) APPROPRIATION.—

(1) IN GENERAL.—Out of any money in the Treasury of the United States not otherwise appropriated, there is appropriated, as an additional amount for “Defense Production Act Purchases”, \$25,350,000,000, to remain available until expended, to improve, in accordance with subsection (b) and using the authority provided by section 303(e) of the Defense Production Act of 1950 (50 U.S.C. 4533(e)), the Navy and Coast Guard shipyard infrastructure of the United States.

(2) SUPPLEMENT NOT SUPPLANT.—Amounts appropriated under paragraph (1) shall supplement and not supplant other amounts appropriated or otherwise made available for the purpose described in paragraph (1).

(3) WAIVER OF CERTAIN LIMITATIONS.—During the 20-year period beginning on the date of the enactment of this Act, the following requirements of the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) shall not apply to amounts appropriated under paragraph (1):

(A) The requirement for a determination of the President under section 303(e)(1) of that Act (50 U.S.C. 4533(e)(1)).

(B) The requirement under section 304(e) of that Act (50 U.S.C. 4534(e)) that amounts in the Defense Production Act Fund in excess of the amount specified in that subsection be paid into the general fund of the Treasury at the end of a fiscal year.

(4) EMERGENCY DESIGNATION.—The amount appropriated under paragraph (1) is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

## (b) USE OF FUNDS.—

(1) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Secretary of Defense shall make the amounts appropriated under subsection (a) directly available to the Secretary of the Navy and the Secretary of Homeland Security for obligation and expenditure in accordance with paragraph (2).

(2) ALLOCATION OF FUNDS.—The amounts appropriated under subsection (a) shall be allocated as follows:

(A) \$21,000,000,000 for Navy public shipyard facilities, dock, dry dock, capital equipment improvements, and dredging efforts needed by such shipyards.

(B) \$2,000,000,000 for Navy private new construction shipyard facilities, dock, dry dock, capital equipment improvements, and dredging efforts needed by such shipyards.

(C) \$2,000,000,000 for Navy private repair shipyard facilities, dock, dry dock, capital equipment improvements, and dredging efforts needed by such shipyards.

(D) \$350,000,000 for Coast Guard Yard facilities, dock, dry dock, capital equipment improvements, and dredging efforts needed by the shipyard.

(3) USE OF FUNDS FOR PROCUREMENT OF CERTAIN SERVICES.—Notwithstanding any provision of the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.), amounts appropriated under subsection (a) may be used for the procurement of architect-engineer and construction services at Navy public shipyards.

(4) PROJECTS IN ADDITION TO OTHER CONSTRUCTION PROJECTS.—Construction projects undertaken using amounts appropriated under subsection (a) shall be in addition to and separate from any military construction program authorized by any Act to authorize appropriations for a fiscal year for military activities of the Department of Defense and for military construction.

## (c) DEFINITIONS.—In this section:

(1) COAST GUARD YARD.—The term “Coast Guard Yard” means the Coast Guard Yard in Baltimore, Maryland.

(2) NAVY PUBLIC SHIPYARD.—The term “Navy public shipyard” means the following:

(A) The Norfolk Naval Shipyard, Virginia.

(B) The Pearl Harbor Naval Shipyard, Hawaii.

(C) The Portsmouth Naval Shipyard, Maine.

(D) The Puget Sound Naval Shipyard, Washington.

(3) NAVY PRIVATE NEW CONSTRUCTION SHIPYARD.—The term “Navy private new construction shipyard”

(A) means any shipyard in which one or more combatant or support vessels included in the most recent plan submitted under section 231 of title 10, United States Code, are being built or are planned to be built; and

(B) includes vendors and suppliers of the shipyard building or planning to build a combatant or support vessel.

(4) NAVY PRIVATE REPAIR SHIPYARD.—The term “Navy private repair shipyard”

(A) means any shipyard that performs or is planned to perform maintenance or modernization work on a combatant or support vessel included in the most recent plan submitted under section 231 of title 10, United States Code; and

(B) includes vendors and suppliers of the shipyard performing or planning to perform maintenance or modernization work on a combatant or support vessel.

**SA 2128.** Mr. BROWN (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division [ ], insert the following:

# SEC. \_\_\_\_ . MODIFICATION OF EMPLOYER-PROVIDED FRINGE BENEFITS FOR BICYCLE COMMUTING.

(a) REPEAL OF SUSPENSION OF EXCLUSION FOR QUALIFIED BICYCLE COMMUTING REIMBURSEMENT.—Section 132(f) of the Internal Revenue Code of 1986 is amended by striking paragraph (8).

(b) COMMUTING FRINGE INCLUDES BIKESHARE.—

(1) IN GENERAL.—Clause (i) of section 132(f)(5)(F) of such Code is amended by striking “a bicycle” and all that follows and inserting “bikeshare, a bicycle, and bicycle improvements, repair, and storage, if the employee regularly uses such bikeshare or bicycle for travel between the employee’s residence and place of employment or mass transit facility that connects an employee to their place of employment.”.

(2) BIKESHARE.—Section 132(f)(5)(F) of such Code is amended by adding at the end the following:

“(iv) BIKESHARE.—The term ‘bikeshare’ means a bicycle rental operation at which bicycles are made available to customers to pick up and drop off for point-to-point use within a defined geographic area.”.

(c) LOW-SPEED ELECTRIC BICYCLES.—Section 132(f)(5)(F) of such Code, as amended by subsection (b)(2), is amended by adding at the end the following:

“(v) LOW-SPEED ELECTRIC BICYCLES.—The term ‘bicycle’ includes a two- or three-wheeled vehicle with fully operable pedals and an electric motor of less than 750 watts (1 h.p.), whose maximum speed on a paved level surface, when powered solely by such a motor while ridden by an operator who weighs 170 pounds, is less than 20 mph.”.

(d) MODIFICATION RELATING TO BICYCLE COMMUTING MONTH.—Clause (iii) of section

132(f)(5)(F) of such Code is amended to read as follows:

“(iii) QUALIFIED BICYCLE COMMUTING MONTH.—The term ‘qualified bicycle commuting month’ means, with respect to any employee, any month during which such employee regularly uses a bicycle for a portion of the travel between the employee’s residence and place of employment.”.

## (e) LIMITATION ON EXCLUSION.—

(1) IN GENERAL.—Subparagraph (C) of section 132(f)(2) of such Code is amended by striking “applicable annual limitation” and inserting “applicable monthly limitation”.

(2) APPLICABLE MONTHLY LIMITATION DEFINED.—Clause (ii) of section 132(f)(5)(F) of such Code is amended to read as follows:

“(ii) APPLICABLE MONTHLY LIMITATION.—The term ‘applicable monthly limitation’, with respect to any employee for any month, means an amount equal to 30 percent of the dollar amount in effect for the month under paragraph (2)(B).”.

(3) AGGREGATE LIMITATION.—Subparagraph (B) of section 132(f)(2) of such Code is amended by inserting “and the applicable monthly limitation in the case of any qualified bicycle commuting benefit”.

(f) NO CONSTRUCTIVE RECEIPT.—Paragraph (4) of section 132(f) of such Code is amended by striking “(other than a qualified bicycle commuting reimbursement)”.

(g) CONFORMING AMENDMENTS.—Paragraphs (1)(D), (2)(C), and (5)(F) of section 132(f) of such Code are each amended by striking “reimbursement” each place it appears and inserting “benefit”.

(h) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2021.

**SA 2129.** Mr. WICKER (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

# SEC. \_\_\_\_ . CREDIT FOR AMERICAN INFRASTRUCTURE BONDS ALLOWED TO ISSUERS.

(a) IN GENERAL.—Subchapter B of chapter 65 of the Internal Revenue Code of 1986 is amended by inserting after section 6430 the following new section:

## “SEC. 6431. CREDIT TO ISSUER OF AMERICAN INFRASTRUCTURE BONDS.

“(a) IN GENERAL.—The issuer of an American infrastructure bond shall be allowed a credit with respect to each interest payment under such bond which shall be payable by the Secretary as provided in subsection (b).

## “(b) PAYMENT OF CREDIT.—

“(1) IN GENERAL.—The Secretary shall pay (contemporaneously with each interest payment date under such bond) to the issuer of such bond (or, at the direction of the issuer, to any person who makes such interest payments on behalf of the issuer) 28 percent of the interest paid under such bond on such date.

“(2) INTEREST PAYMENT DATE.—For purposes of this subsection, the term ‘interest payment date’ means each date on which the holder of record of the American infrastructure bond is entitled to a payment of interest under such bond.

## “(c) AMERICAN INFRASTRUCTURE BOND.—

“(1) IN GENERAL.—For purposes of this section, the term ‘American infrastructure bond’ means any obligation if—

“(A) the interest on such obligation would (but for this section) be excludable from gross income under section 103,

“(B) the obligation is not a private activity bond,

“(C) the issuer makes an irrevocable election to have this section apply,

“(D) the obligation is issued during the 8-year period beginning on the date of enactment of this section, and

“(E) 100 percent of the excess of the available project proceeds of such issue over the amounts in a reasonably required reserve (within the meaning of section 150(a)(3)) with respect to such issue are to be used for capital expenditures.

“(2) APPLICABLE RULES.—For purposes of applying paragraph (1)—

“(A) for purposes of section 149(b), a bond shall not be treated as federally guaranteed by reason of the credit allowed under this section, and

“(B) a bond shall not be treated as an American infrastructure bond if the issue price has more than a de minimis amount (determined under rules similar to the rules of section 1273(a)(3)) of premium over the stated principal amount of the bond.

“(3) AVAILABLE PROJECT PROCEEDS.—For purposes of this subsection, the term ‘available project proceeds’ means—

“(A) the excess of—

“(i) the proceeds from the sale of an issue, over

“(ii) the issuance costs financed by the issue (to the extent that such costs do not exceed 2 percent of such proceeds), and

“(B) the proceeds from any investment of the excess described in subparagraph (A).

“(d) SPECIAL RULES.—

“(1) INTEREST ON AMERICAN INFRASTRUCTURE BONDS INCLUDIBLE IN GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES.—For purposes of this title, interest on any American infrastructure bond shall be includible in gross income.

“(2) APPLICATION OF ARBITRAGE RULES.—For purposes of section 148, the yield on an issue of American infrastructure bonds shall be reduced by the credit allowed under this section, except that no such reduction shall apply with respect to determining the amount of gross proceeds of an issue that qualifies as a reasonably required reserve or replacement fund.

“(e) REGULATIONS.—The Secretary may prescribe such regulations and other guidance as may be necessary or appropriate to carry out this section.”

(b) CONFORMING AMENDMENTS.—

(1) The table of sections for subchapter B of chapter 65 of subtitle F of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

“Sec. 6431. Credit to issuer of American infrastructure bonds.”

(2) Subparagraph (A) of section 6211(b)(4) of such Code is amended by striking “and 6428A” and inserting “6428A, and 6431”.

(c) TRANSITIONAL COORDINATION WITH STATE LAW.—Except as otherwise provided by a State after the date of the enactment of this Act, the interest on any American infrastructure bond (as defined in section 6431 of the Internal Revenue Code of 1986 (as added by this Act)) and the amount of any credit determined under such section with respect to such bond shall be treated for purposes of the income tax laws of such State as being exempt from Federal income tax.

(d) ADJUSTMENT TO PAYMENT TO ISSUERS IN CASE OF SEQUESTRATION.—

(1) IN GENERAL.—In the case of any payment under subsection (b) of section 6431 of the Internal Revenue Code of 1986 (as added by this Act) made after the date of enactment of this Act to which sequestration applies, the amount of such payment shall be increased to an amount equal to—

(A) such payment (determined before such sequestration), multiplied by

(B) the quotient obtained by dividing the number 1 by the amount by which the number 1 exceeds the percentage reduction in such payment pursuant to such sequestration.

(2) SEQUESTRATION.—For purposes of this subsection, the term “sequestration” means any reduction in direct spending ordered in accordance with a sequestration report prepared by the Director of the Office of Management and Budget pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 or the Statutory Pay-As-You-Go Act of 2010 or future legislation having similar effect.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to obligations issued after the date of enactment of this Act.

## RESIDENTIAL SUBSTANCE USE DISORDER TREATMENT ACT OF 2021

Mr. SCHUMER. Madam President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 1046 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1046) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to reauthorize the residential substance use disorder treatment program, and for other purposes.

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1046) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 1046

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Residential Substance Use Disorder Treatment Act of 2021”.

### SEC. 2. RESIDENTIAL SUBSTANCE USE DISORDER TREATMENT PROGRAM.

(a) AMENDMENTS.—Part S of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10421 et seq.) is amended—

(1) in the part heading, by striking “SUBSTANCE ABUSE” and inserting “SUBSTANCE USE DISORDER”;

(2) in section 1901 (34 U.S.C. 10421)—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) by striking “substance abuse” each place it appears and inserting “substance use disorder”; and

(II) by inserting after “programs” the following: “, including medication-assisted treatment programs, which shall be permitted to use any type of medication that has been approved to treat substance use disorders pursuant to section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355),

or any type of biological product licensed under section 351 of the Public Health Service Act (42 U.S.C. 262),”; and

(ii) in paragraph (3), by striking “substance abuse” each place it appears and inserting “substance use disorder”;

(B) in subsection (b), by striking “substance abuse” and inserting “substance use disorder”; and

(C) in subsection (c)—

(i) by striking “part for treatment” and inserting “part for—

“(1) treatment”;

(ii) in paragraph (1), as so designated, by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(2) expanding residential substance use disorder treatment programs to use not less than 1 medication or treatment that has been approved to treat substance use disorders pursuant to section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355).”;

(3) in section 1902 (34 U.S.C. 10422)—

(A) in subsection (b)—

(i) in the subsection heading, by striking “ABUSE” and inserting “USE”; and

(ii) by striking “substance abuse” each place it appears and inserting “substance use disorder”;

(B) in subsection (c), by striking “substance abuse” each place it appears and inserting “substance use disorder”;

(C) in subsection (d), by striking “substance abuse treatment” and inserting “substance use disorder treatment”;

(D) in subsection (f), by striking “substance abuse” and inserting “substance use disorder”; and

(E) by adding at the end the following:

“(g) TRAINING REQUIREMENT.—

“(1) IN GENERAL.—To be eligible to receive funds under this part, the chief medical officer of the prison or jail or appropriate staff overseeing the program shall complete training, before or within a reasonable amount of time after receiving the funds, on, at a minimum—

“(A) the science of addiction;

“(B) the latest research and clinical guidance for detoxification and withdrawal management and the treatment of substance use disorders in criminal justice settings;

“(C) strategies for continuity of care during and after incarceration;

“(D) an overview of—

“(i) all medications for the treatment of substance use disorders;

“(ii) how to obtain certification as an opioid treatment provider (OTP) or waivers under the Controlled Substances Act (21 U.S.C. 801 et seq.) for prescribing certain medications; and

“(iii) evidence-based behavioral therapies used in addition to medication to improve medication adherence and treatment outcomes; and

“(E) any other topic determined by the Attorney General, in coordination with the Secretary of Health and Human Services and in consultation with experts in addiction science, to be a core element for successful training under this paragraph.

“(2) REQUIREMENT.—The training required under paragraph (1) shall include guidance on how to—

“(A) engage relevant stakeholders;

“(B) identify available resources for, and gaps and barriers to, providing residential substance use disorder treatment; and

“(C) develop a plan to overcome obstacles to administering and offering medication-assisted treatment.